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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Sosa, et al.

Serial No.: 10/729,446

Confirmation No.: 1024

Filed: December 5, 2003

For: Impact Modified Polystyrene and  
Process for Preparing Same

§ Atty. Dkt. No.: COS-936

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§ Group Art Unit: 1711

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§ Cust. No.: 25264

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§ Examiner: Asinovsky

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Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

**CERTIFICATE OF MAILING  
37 CFR 1.10**

I hereby certify that this correspondence is being  
deposited on the date below with the United States  
Postal Service as Express Mail, Mailing Label No. EQ  
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Appeal Brief-Patents, Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450.

4/29/06  
Date

[Signature]  
Signature

**TRANSMITTAL LETTER AND FEE AUTHORIZATION**

In connection with the above identified application, Applicants respectfully  
submit the following documents:

1. Reply Brief.

The Commissioner is authorized to charge the fee of \$500.00, along with any  
additional fees that may be required for this submission, or credit any overpayments, to  
Deposit Account No. 03-3345.

Respectfully submitted,

[Signature]

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Examiners' Answer at page 8. Appellants strongly disagree with the Examiner's assertion. Further, the Examiner cites no support in *Sosa '043* for her assertion.

*Sosa '043* clearly teaches Transparent Impact Modified Polystyrene (TIPS). While *Sosa '043* distinguishes the differences between TIPS and HIPS in the background (“[T]he primary difference between a HIPS material and a TIPS material arises from the difference in the morphologies of the two materials’ rubber phases”), *Sosa '043* is directed to making TIPS materials using an elastomers reactor system that is unique to TIPS manufacture (*i.e.*, the composition of TIPS nor the process for making such is the same as HIPS.) *See*, at least column 4, lines 3 to 25. *Sosa '043* does not teach, show or suggest a HIPS material having a haze value of less than or equal to 12 percent, as recited in the pending claims. Accordingly, Appellants respectfully request reversal of the rejection.

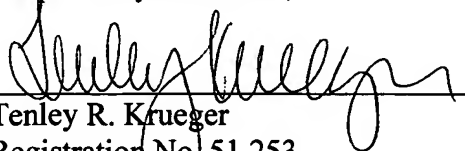
**II. THE EXAMINER ERRED IN REJECTING CLAIMS 6-7, 9-17 AND 19-30 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER *SOSA '043* IN VIEW OF *BOWEN*.**

As demonstrated above, *Sosa '043* teaches a Transparent Impact Polystyrene, not HIPS. *Bowen* does not provide the limitations missing in *Sosa '043* and therefore a detailed discussion is not deemed necessary. Accordingly, Appellants respectfully request reversal of the rejection.

### Conclusion

In conclusion, the references of record, either alone or in combination, do not teach or suggest a high impact polystyrene having a haze value of less than or equal to 12 percent. Thus, Appellants respectfully request reversal of the rejections of claims 1-30.

Respectfully submitted,



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